



Hidden Valley Lake Community Services District

Special Meeting

DATE: September 4, 2019
TIME: 4:00 PM
PLACE: Hidden Valley Lake CSD
Administration Office, Boardroom
19400 Hartmann Road
Hidden Valley Lake, CA

- 1) CALL TO ORDER
- 2) PLEDGE OF ALLEGIANCE
- 3) ROLL CALL
- 4) APPROVAL OF AGENDA
- 5) DISCUSSION AND POSSIBLE ACTION: Rejection of Bids for the Mountain Meadow North Water Main Replacement Project and Re-Bidding of the Project
- 6) PUBLIC COMMENT
- 7) BOARD MEMBER COMMENT
- 8) ADJOURNMENT

Public records are available upon request. Board Packets are posted on our website at www.hvlcsd.org/meetings.

In compliance to the Americans with Disabilities Act, if you need special accommodations to participate in or attend the meeting please contact the District Office at 987-9201 at least 48 hours prior to the scheduled meeting. "

Public shall be given the opportunity to comment on each agenda item before the Governing Board acts on that item, G.C. 54953.3. All other comments will be taken under Public Comment.

**ACTION OF
HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT**

DATE: September 3, 2019

AGENDA ITEM: Rejection of Bids for the Mountain Meadow North Water Main Replacement Project and Re-Bidding of the Project

RECOMMENDATIONS: By motion:

1. Reject all bids received for the Mountain Meadow North Water Main Replacement Project.
 2. Re-bid the Project.
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FINANCIAL IMPACT: None

BACKGROUND: The Mountain Meadow North Water Main Replacement Project consists of the replacement of approximately 300 feet of 8-inch transite water main (in poor condition) with PVC. The pipe, located on Mountain Meadow North between Hartmann Road and Donkey Hill Road, is a critical water main connecting the Zone 4 water tanks and its customers. This section of pipe has been repaired multiple times. On March 4, 2019, the District authorized Coastland Engineering to prepare construction documents for the pipe replacement project.

Construction documents were prepared and the project was advertised for bid in accordance with the requirements of the California Public Contract Code. On July 11, 2019, District Staff conducted the bid opening and two (2) bids were received: one from Green Right O'Way Constructors, Inc. in the amount of \$160,549, and a second from Helmer & Sons, Inc. in the amount of \$260,768. The engineer's estimate for the project was \$149,000. The lack of additional bidders and costs over the engineer's estimate appear to be primarily due to the busyness of contractors in general.

The District Engineer reviewed the bid documents submitted by Green Right O'Way and found that their registration with the Department of Industrial Relations (DIR) was expired. Both the bid documents and state law require that DIR registration be current at bidding. The District's Attorney, Doug Coty, determined that the District could not legally award the contract to Green Right O'Way according to California Labor Code Sections 1725.5 and 1771.1, as stated on page 3 of the Project Specifications:

"Pursuant to the provisions of Section 1771.1 of the California Labor Code, a contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in Chapter 1 of Part 7 of Division 2 of the California Labor Code, unless currently registered and qualified to perform public work pursuant to Civil Code Section 1725.5. Please note: It is not a violation of Section 1771.1 for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded. Any bids submitted without proof that Bidder and any listed

subcontractor(s) are currently registered and qualified to perform public work, pursuant to Labor Code Section 1725.5, shall not be accepted by the District.”

Helmer & Sons, Inc.’s bid was found to be responsive and complete, though substantially higher than the engineer’s estimate. As Helmer & Son’s bid is well in excess of engineering estimates, staff is recommending rejection of all bids, and re-bid the project with the same scope as soon as possible.

APPROVED
AS RECOMMENDED

OTHER
(SEE BELOW)

Modification to recommendation and/or other actions: None recommended

I, Kirk Cloyd, Secretary to the Board, do hereby certify that the foregoing action was regularly introduced, passed, and adopted by said Board of Directors at a regular board meeting thereof held on September 3, 2019, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Secretary to the Board